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June 17, 2022

Via Electronic Filing

Honorable Lorna G. Schofield
Thurgood Marshall United States Courthouse
Courtroom 1106
40 Foley Square
New York, New York 10007

**Re: Techtronic Cordless GP v. M/V MSC Ariane, et al.
Case No. 1:22-CV-3441 (S.D.N.Y.) (LGS)
Letter Motion for Adjournment of June 29, 2022 Telephone Conference and
for Extension of Answer Deadline for Defendants**

Dear Judge Schofield –

Plaintiff Techtronic Cordless GP (hereinafter “Plaintiff”), by and through undersigned counsel, respectfully submits this letter motion pursuant to this Honorable Court’s individual practices to request an adjournment of the June 29, 2022 preliminary conference in this matter. Doc. 8; *see also* Individual Rules and Procedures for Civil Cases, Rule B.2. In support thereof, Plaintiff respectfully shows as follows:

Plaintiff’s Complaint was filed on April 27, 2022. Doc. 1. Defendant MSC Mediterranean Shipping Co., S.A. (“MSC”) and Defendant Maersk, A/S (“Maersk”) have been served and the parties previously agreed to extend the Answer date for both to June 17, 2022. Doc. 12 - Order Endorsing Extension. The parties are engaged in ongoing discussions to attempt to negotiate a pre-answer resolution of the matter. Accordingly, in pursuit of those good faith discussions, Plaintiff has agreed to further extend the time for Defendants MSC and Maersk to answer, move, or otherwise appear up to and including July 15, 2022.

In addition, there is a foreign defendant, Ainara Commercial SA, which has not yet been served and Plaintiff is coordinating service pursuant to applicable federal and international service of process rules. Accordingly, Plaintiff respectfully requests that the initial preliminary telephone conference be continued to July 27, 2022 (or other date set by the Court). This is the first request for adjournment of conference and is made not for the purposes of delay, but in good faith so that



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the Parties may have additional time to attempt to resolve the pending dispute(s), either in whole or in part.

In advance, we thank the Court for its attention and assistance in this matter.

Respectfully submitted,

Chalos & Co, P.C.

A handwritten signature in blue ink, appearing to read 'B. Sparkman', with a long horizontal flourish extending to the right.

Briton P. Sparkman
Melissa D. Russo

Application GRANTED. The initial pretrial conference scheduled for June 29, 2022, is adjourned to **July 27, 2022, at 4:20 P.M.** At that time, the parties shall call 888-363-4749 and use the access code 558-3333. The deadline for the parties to file the joint letter and proposed civil case management plan and scheduling order in advance of that conference is extended to **July 20, 2022, at 12:00 P.M.** The deadline for the defendants who have been served to answer, move or otherwise respond to the Complaint is extended to **July 15, 2022.**

No further adjournments of the initial pretrial conference will be granted absent extraordinary and compelling circumstances, which do not include settlement discussions.

Dated: June 21, 2022
New York, New York

A handwritten signature in black ink, appearing to read 'L. G. Schofield', with a long horizontal flourish extending to the right.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE